

EXHIBIT D

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

- - - - - X
KOBAY SWAFFORD, :
Plaintiff, :
vs. : Case No: 1:24-cv-10509-PBS
RENTGROW, INC., and :
DOES 1-10:
:
Defendants. :
- - - - - X

30(B)6 Deposition of ALISA SHANNON
Representative for the
Third Judicial Circuit Court of Michigan
via Zoom Videoconference
Friday, March 28, 2025
12:00 p.m.

Pages: 1-31 inclusive
Reported by: Caroline Jones

1 become part of the case file?

2 A. So I am not real certain what you're asking me.
3 The case file -- I'm gonna try to explain it like this.
4 In the courtroom, there is a county clerk person and
5 there is the judge's judicial assistant. Now, the
6 judicial assistant may touch something or prepare
7 something that then goes back to the courtroom clerk
8 that then becomes part of the file.

9 Q. Okay. I think that makes sense.

10 A. Okay.

11 Q. I appreciate the explanation. Are you familiar
12 with the Odyssey Public Access System?

13 A. Yes.

14 Q. Could you describe what that is?

15 A. It's a way for the general public to query our
16 case management system to be able to look up cases. In
17 most cases, people are looking up next court dates or
18 where they go to court, which judge, that kind of thing.

19 Q. You mentioned a case management system. Is that
20 the same as or different from or related to the clerk's
21 file?

22 A. The case management system holds the clerk's
23 electronic file. It is different from the clerk's paper
24 file.

25 Q. Understood. But the clerk -- so the county clerk

1 is the one who's updating that electronic file, correct?

2 A. Yes.

3 Q. Okay. And you then testified -- or -- so just to
4 clarify, so that Odyssey system allows the public to
5 query the case management system that holds the clerk's
6 electronic file, correct?

7 A. Yes.

8 Q. Okay. So in that way, the Odyssey system allows
9 public access to certain court records; is that correct?

10 A. Only court records that are publicly accessible,
11 yes.

12 Q. Okay. And thanks for that clarification. So is
13 there specific records that would not be publicly
14 accessible?

15 A. Yes.

16 Q. What are those?

17 A. Suppressed cases are never publicly accessible,
18 personal identifying information is never publicly
19 accessible, that's pretty much what I can think of off
20 the top of my head.

21 Q. Okay. And do you know, does the Odyssey query
22 results, would that include a form of register of
23 actions for the case?

24 A. Yes, the public access, yes.

25 Q. Okay. And is that based on the register of

1 actions that's maintained by the clerk's office?

2 A. Yes, it is, yes.

3 Q. Okay. There's not a separate entity that's
4 creating a different register of actions for Odyssey as
5 opposed to the clerk's office maintaining a register of
6 actions, correct?

7 A. Correct.

8 Q. Okay. Does the register of actions reflect the
9 disposition of charges in a criminal case?

10 A. Yes.

11 Q. Would that include a disposition that changes
12 after an appeal?

13 A. Yes.

14 Q. And that may be -- I can also ask it this way.
15 If the clerk enters a changed disposition after an
16 appeal into the clerk's case file, would that be
17 reflected on the register of actions through Odyssey?

18 A. Correct. That's exactly how it would change.

19 Q. Okay. Thank you. And is that an automatic
20 process, or is there a manual updating of the Odyssey
21 system?

22 A. It requires the clerk to go in and enter.

23 Q. Right. Thank you. So --

24 A. And once they press enter, it's reflected as
25 such.

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1 Q. Okay. Thank you. That was my question. So the
2 clerk is entering and -- manually entering it into their
3 case file. Once they hit enter, it's automatically that
4 kind of a record, as long as it's not suppressed or PII
5 or something that's not publicly accessible? That's
6 going to be reflected on Odyssey?

7 A. Correct.

8 Q. Okay. All right. I'm just looking through my
9 questions here, seeing if I can reduce some of these.
10 Okay. So continuing on here to topic number two, it
11 references a specific case number.

12 A. Okay.

13 Q. Did -- have you reviewed the Odyssey query
14 results for this case file?

15 A. I have now. I am sorry.

16 Q. Okay. Did you review the Exhibit C that was
17 attached to the subpoena?

18 A. Yes.

19 Q. Okay. Thank you. That's fine. So I'm going to
20 switch over to another document, and this is -- or if
21 you can confirm for me that this is the document that
22 was attached as Exhibit 2, correct -- or I'm sorry --
23 Exhibit C?

24 A. Yes, that looks like it.

25 Q. Thank you. And I'll represent that it is the

1 by jury," correct?

2 A. Yes.

3 Q. And what would be the instance in which the clerk
4 would enter that into the registry?

5 A. If there was a jury trial and the defendant was
6 found guilty.

7 Q. Okay. And this is the end of the document, so
8 after the found guilty by jury, there was only a few
9 more entries. Is there an entry here that would
10 indicate to you that there was a change of the
11 conviction on appeal?

12 A. Not on this document.

13 Q. Okay. Now, based on the standard processes we
14 were discussing earlier, if the court of appeals
15 transferred information about a change of the
16 disposition to the clerk, and the clerk enters that into
17 her -- or their case management file, that would be
18 reflected on this docket, correct?

19 A. Yes.

20 Q. Okay.

21 A. And let me just say, Noah, the -- and forgive me,
22 Mr. DiPasquale.

23 Q. That's fine. Noah is easier.

24 A. Noah, thank you. I don't -- you know, there were
25 changes in the law that allowed for court of appeals

1 MR. DIPASQUALE: Okay. I do have a few
2 follow-up questions for Ms. Shannon based on the
3 discussion that was just raised by Mr. Fok, so if you'll
4 bear with me a little bit longer.

5 EXAMINATION

6 BY MR. DIPASQUALE:

7 Q. Ms. Shannon, is it the goal of the third judicial
8 circuit court to maintain accurate records of cases?

9 A. Absolutely.

10 Q. And it's the standard procedure of the county
11 clerk and the third circuit working together to keep
12 those files updated and complete?

13 A. Yes.

14 Q. All right. And it's the -- would there be an
15 instance where the county clerk -- or, I'm sorry, where
16 the third circuit was known to enter inaccurate
17 information to be viewed publicly?

18 A. No, no.

19 Q. And you mentioned a few times that the Odyssey is
20 not the official record. What is the official record?

21 A. The actual case file, physical case file.

22 Q. When you say the actual case file -- did you say
23 physical?

24 A. Yes.

25 Q. Okay. And is that something that the public can